

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

<b>GREG E. PARKER, JR. AS GUARDIAN</b>	)	<b>Case No.:</b>	<b>3:24-cv-3890-SAL</b>
<b>AD LITEM FOR C.S. AND A.S.,</b>	)		
<b>MINORS UNDER THE AGE OF</b>	)		
<b>EIGHTEEN,</b>	)		
	)		
<b>Plaintiff,</b>	)		
	)		
<b>v.</b>	)		
	)		
<b>ZURICH/EMPIRE FIRE AND MARINE</b>	)	<b>NOTICE OF REMOVAL</b>	
<b>INSURANCE COMPANY; AND ARCH</b>	)		
<b>INSURANCE COMPANY,</b>	)		
	)		
<b>Defendants.</b>	)		

Defendant Empire Fire and Marine Insurance Company (“Empire”), improperly named Zurich/Empire Fire and Marine Insurance Company, would respectfully show the Court in support of its Notice of Removal that:

1. The Summons and Complaint in this action were filed on or about June 4, 2024, in the Court of Common Pleas for Richland County, South Carolina. Copies of Plaintiff's Summons and Complaint are attached. The Complaint is the first pleading served upon the Defendant in this action. Defendant Empire first received a copy of the Complaint on June 9, 2024. Therefore, removal is timely under 28 U.S.C. §§ 1446(b)(3) and 1446(c)(3).

2. The United States District Court has jurisdiction over this action pursuant to 28 U.S.C. §1332. Pursuant to the Complaint, Plaintiff is a South Carolina citizen and resident; Defendant Empire is incorporated in and has its principal place of business outside the state of South Carolina; and Defendant Arch Insurance Company is incorporated and has its principal place of business outside the state of South Carolina. The action has been brought by the Plaintiff against

the Defendants for insurance claims arising out of an accident that allegedly occurred in Richland County, South Carolina.

3. Venue is proper in this matter in the Columbia Division of this Court in accordance with 28 U.S.C. §1441(a).

4. Plaintiff's Complaint alleges a claim for declaratory judgment. Plaintiff's complaint seeks relief in the form of a declaration of insurance benefits, actual damages, punitive damages, interest, attorneys' fees, and costs and disbursements.

5. Upon information and belief, the policy benefits sought are \$75,000 or more. Moreover, Plaintiff seeks costs, attorneys' fees, actual damages, and punitive damages, among other things. As a result, the value of the relief sought exceeds the \$75,000 jurisdictional limit.

5. Defendant will separately file an Answer following this notice of removal.

6. Defendant is contemporaneously filing a copy of this Notice of Removal to the Clerk of Court for Berkeley County, South Carolina.

Respectfully submitted,

**SWEENEY, WINGATE & BARROW, P.A.**

s/Brandon R. Gottschall  
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**ATTORNEYS FOR THE DEFENDANT**

Columbia, South Carolina

July 9, 2024